

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**IN RE FACEBOOK, INC., IPO SECURITIES : MDL NO. 12-2389  
AND DERIVATIVE LITIGATION :**

**This document relates to the  
Consolidated NASDAQ Actions:**

<b>No. 12-cv-4054</b>	<b>No. 12-cv-4600</b>
<b>No. 12-cv-4200</b>	<b>No. 12-cv-4716</b>
<b>No. 12-cv-4201</b>	<b>No. 12-cv-5549</b>
<b>No. 12-cv-4315</b>	<b>No. 12-cv-5630</b>
<b>No. 12-cv-4403</b>	<b>No. 12-cv-6882</b>

**DEFENDANTS' NOTICE OF MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that defendants, The NASDAQ OMX Group, Inc., The NASDAQ Stock Market LLC, Robert Greifeld, and Anna M. Ewing, will hereby move this Court, before the Honorable Robert W. Sweet at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, at a time and date to be determined by the Court, for an order dismissing plaintiffs' complaint pursuant to Federal Rule of Civil Procedure 12(b)(6).

In support of this motion, defendants hereby rely upon the accompanying Memorandum of Law and Declaration of Paul Lantieri III filed in support thereof.

/s/ Stephen J. Kastenber  
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Stephen J. Kastenber\* (Pa. ID 70919)  
Paul Lantieri III\* (Pa. ID 88160)  
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Dated: July 2, 2013